

REMARKS

Claims 1-10, 16, 17, and 20-23 are pending in the application; the status of the claims is as follows:

Claims 1-5, 16, 17, and 20-23 are allowed.

Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,475,537 to Kobayashi et al. ("Kobayashi") in view of U.S. Patent No. 5,940,360 to Choi ("Choi"), and U.S. Patent No. 6,278,554 to Aratani et al. ("Aratani").

35 U.S.C. § 103(a) Rejection

The rejection of claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Choi and Aratani is respectfully traversed based on the following.

Claim 6 includes the limitation "a two-dimensional image sensing device that converts the optical image formed by said imaging lens system into an electronic signal." This limitation includes two sub-limitations. The first is that the image sensing device must be a two-dimensional sensing device, i.e., it is a two-dimensional array of individual image sensing elements (pixels). Secondly, the resultant electronic signal should correspond to the optical image formed on the two-dimensional image sensing device. In other words, the electronic signal would correspond to at least the intensity of the portion of the two-dimensional optical image formed on each pixel within the two-dimensional sensing device.

The Office Action itself notes that Kobayashi, which discloses an optical system for use in reading information on an optical disk, “does not disclose a two dimensional image sensing device.” Thus, the Office Action combines Kobayashi with Choi and Aratani. Choi, like Kobayashi, relates to an optical system for reading information on an optical disk. Furthermore, Choi, like Kobayashi, does not disclose claim 1’s “two-dimensional image sensing device that converts the optical image formed by said imaging lens system into an electronic signal.” Thus, the Office Action must rely on Aratani for a two-dimensional image sensing device. The Applicants respectfully submit that combining Aratani’s imaging optical system (a camera) having perhaps a six megapixel two-dimensional imager with an optical system for reading information on an optical disk is improper. In particular, neither Kobayashi nor Choi provide any suggestion that such a two-dimensional imager could provide any advantage. Further, neither Kobayashi nor Choi would benefit from a two-dimensional imager as neither is concerned with converting a two-dimensional optical image into an electronic signal. Both Kobayashi and Choi are concerned with detecting the presence or absence of light corresponding to a “1” or “0” stored on an optical disk. Thus, there is no suggestion or motivation to combine Kobayashi and Choi with Aratani. Without a suggestion or motivation to combine Kobayashi and Choi with Aratani, the invention of claim 6 is considered patentable over the combination of Kobayashi, Choi, and Aratani.

Claims 7-10 depend from claim 6. As claim 6 is considered nonobvious over the combination of Kobayashi, Choi, and Aratani, claims 7-10 are considered nonobvious for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 6-9 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Choi and Aratani be reconsidered and withdrawn.

CONCLUSION

In view of the foregoing, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Response does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims beyond the number of claims originally paid for. Accordingly, no fee based on the number or type of claims is currently due. If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed. Any fee required for such a Petition for Extension of Time or any other fee required by this response, including any fee pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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